

IN THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEBRASKA

ACS STATE HEALTHCARE, LLC, a	)	
Delaware Limited Liability	)	
Company,	)	
	)	
Plaintiff,	)	4:08CV3021
	)	
v.	)	
	)	
DAVID HEINEMAN, in his official	)	ORDER
capacity as GOVERNOR OF THE	)	
STATE OF NEBRASKA; JON BRUNING,	)	
in his official capacity as	)	
ATTORNEY GENERAL OF THE STATE	)	
OF NEBRASKA; CARLOS CASTILLO,	)	
in his official capacity as	)	
DIRECTOR, DEPARTMENT OF	)	
ADMINISTRATIVE SERVICES;	)	
CHRISTINE PETERSON, CEO OF THE	)	
DEPARTMENT OF HEALTH & HUMAN	)	
SERVICES; and STEVE SULEK, in	)	
his official capacity as ACTING	)	
MATERIAL DIVISION ADMINISTRATOR,	)	
	)	
Defendants,	)	
	)	
FOURTHOUGHT GROUP, INC.,	)	
	)	
Defendant-Intervenor.	)	
_____	)	

This matter is before the Court on plaintiff's motion for reconsideration or, in the alternative, for injunction pending appeal (Filing No. 79). Plaintiff moved the Court to reconsider its February 29, 2008, order denying plaintiff's motion for a temporary restraining order and preliminary injunction (Filing No. 77). In the alternative, plaintiff requests the Court to enter an injunction pending interlocutory appeal of the Court's denial of a preliminary injunction,

pursuant to Fed. R. Civ. P 62(b). Having reviewed the motion, the parties' briefs and evidentiary submissions, and the applicable law, the Court finds plaintiff's motion for reconsideration should be denied and the plaintiff's alternative motion for an injunction pending interlocutory appeal should similarly be denied. Accordingly,

IT IS ORDERED that plaintiff's motion for reconsideration or, in the alternative, injunction pending appeal (Filing No. 79) is denied.

DATED this 20th day of March, 2008.

BY THE COURT:

/s/ Lyle E. Strom

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LYLE E. STROM, Senior Judge  
United States District Court